

On May 18, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18655. Misbranding of Dr. Warner's white wine and tar syrup compound. U. S. v. 5¼ Dozen Small-Sized Bottles, et al., of Dr. Warner's White Wine Tar Syrup Compound. Default decree of condemnation and destruction. (F. & D. No. 26187. I. S. No. 26327. S. No. 4482.)

Examination of a drug product, known as Dr. Warner's white wine and tar syrup compound, having shown that the bottle label and carton and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the Southern District of Indiana the shipment herein described, involving a quantity of the product located at Indianapolis, Ind.

On April 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 5¼ dozen small-sized bottles and 4½ dozen large-sized bottles of the said Dr. Warner's white wine and tar syrup compound, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the C. D. Warner Co., from Coldwater, Mich., September 16, 1930, and had been transported from the State of Michigan into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of tar, anise oil, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For Coughs * * * and Diseases of the Throat and Lungs;" (carton) "For Affections of the Lungs and Throat such as Asthma, Bronchitis, Coughs * * * La Grippe, Whooping Cough, Pain or Oppression of the Chest and Sore Throat;" (circular) "A Remedy that can be successfully Employed in the Treatment of Coughs, Influenza, Asthma, Whooping Cough, * * * Catarrh, Croup, Bronchitis, and Difficult Breathing. * * * A Remedy that can be successfully employed in the treatment of Coughs, * * * Tightness of the Chest and Kindred Diseases. * * * Has No Equal for La Grippe. No remedy equals Warner's White Wine and Tar Syrup Compound for this terrible and fatal disease. If taken thoroughly and in time, it will relieve a case in 48 hours, and for the cough that follows La Grippe, it never fails to give relief. * * * [Testimonials] My oldest daughter suffered months with a severe cough. My baby had the croup. After trying many remedies, we used Warner's White Wine and Tar Syrup Compound. Both are restored to good health. * * * had a sore throat and tickling in her throat that kept her coughing night after night. She used Warner's White Wine and Tar Syrup Compound and has not lost a night's sleep since. * * * Child's Life Was Saved. * * * My little girl caught a cold that lasted over a year. We employed three doctors, none could help her. She got so weak she could not stand. We used Warner's White Wine and Tar Syrup Compound. It restored her to good health. Millions of such. * * * Typhoid fever left me with a serious trouble with my throat and lungs. Dr. Warner's White Wine and Tar Syrup Compound relieved me and am now well. * * * My wife was troubled with weak lungs. The disease was far advanced. She has taken four bottles of Warner's White Wine and Tar Syrup Compound and is nearly well. * * * I have used Dr. Warner's White Wine and Tar Syrup Compound for sore throat, coughs, colds and weak lungs. It surpasses all other remedies I have ever tried. * * * Speedy relief for throat and lung diseases. * * * I speak from my own experience; I think it has twice saved my life when suffering from a disease of the throat and lungs. It relieved my neighbor, Mr. Doves, of asthma, that had afflicted him for thirty years. * * * Our little 6-year-old daughter had a very sore throat, badly ulcerated, and coughed almost incessantly. Gave the White Wine and Tar Syrup Compound according to directions and she began to improve immediately and soon got well * * * My children were afflicted with a cough resulting from measles, my wife with a cough that had prevented her from sleeping, more or less, for five years, and your White Wine and Tar Syrup Compound has done the good work."

On June 27, 1931, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18656. Misbranding of K-K-K Keyser's "Pink" Kold Kapsules. U. S. v. 2 Dozen Packages of K-K-K Keyser's "Pink" Kold Kapsules. Default decree of condemnation and destruction. (F. & D. No. 26177. I. S. No. 28270. S. No. 4445.)

Examination of a drug product, known as Keyser's "Pink" Kold Kapsules, from the shipment herein described having shown that the carton, circular, and display card bore statements representing that the article possessed curative or therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On April 6, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two dozen packages of K-K-K Keyser's "Pink" Kold Kapsules at Johnstown, Pa., alleging that the article had been shipped by the Keyser Chemical Co. (Inc.), Roanoke, Va., on or about March 6, 1931, and had been transported from the State of Virginia into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained salol, quinine sulphate, camphor, powdered ginger, powdered capsicum, and aloin.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent: (Retail carton) "Keyser's 'Pink' Kold Kapsules for * * * La Grippe;" (circular) "Keyser's 'Pink' Kold Kapsules * * * They * * * act on the liver thereby arousing the secretions to action and relieving congestion;" (display card in shipping container) "For Influenza, La Grippe * * * Etc. take Keyser's 'Pink' Kold Kapsules."

On June 5, 1931, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18657. Adulteration and misbranding of Gold Bond Sterilseptic toilet powder. U. S. v. 139 Packages of Gold Bond Sterilseptic Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26272. I. S. No. 29220. S. No. 4578.)

Examination of a drug product, known as Gold Bond Sterilseptic toilet powder, from the shipment herein described having shown that the article was represented to be antiseptic, whereas it was not, also that the labeling contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On April 23, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel, and on May 25, 1931, an amended libel, praying seizure and condemnation of 139 packages of Gold Bond Sterilseptic toilet powder, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Gold Bond Sterilizing Powder Co., Fairhaven, Mass., on or about March 19, 1931, and had been transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of talc and boric acid, with small proportions of volatile oils including eucalyptol and methyl salicylate. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel as amended that the article was adulterated in that it fell below the professed standard of "antiseptic," under which it was sold.

Misbranding was alleged for the reason that the following statements appearing on the carton and can labels and in the circulars, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it con-